

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Daniel R. PAVLIK et al. Examiner: Heller, Tammie K.
Serial No.: 10/717,721 Group Art: 3766
Filing Date: November 20, 2003 Docket No.: P0020005.00
Conf. No. 8711
Title: NOVEL WELDED JUNCTION FOR MEDICAL ELECTRICAL LEADS

Corrected Appeal Brief

Mail Stop Appeal Brief
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The following is submitted in response to the Notice of Non-compliant Appeal Brief of August 20, 2010. Replacement sections are included below.

Any required fee will be made at the time of submission via EFS-Web. In the event fees are not or cannot be paid at the time of EFS-Web submission, please charge any fees under 37 CFR § 1.16, 1.17, 1.136(a), or any additional fees to Deposit Account 13-2546.

III. Status of the claims

Claims 1 – 6, 8 – 13, 25 and 29 are pending in the present application. Claims 8, 14 – 24 and 26 – 28 are cancelled. No claims are amended or added. Claims 1 – 5, 8 – 13, 25 and 29 stand rejected over Westlund. Claims 1 – 6, 8 – 13 and 25 stand rejected over Ley and Bush. Claim 29 is indicated to be allowable over Ley and Bush. The rejection of claims 1 – 6, 8 – 13, 25 and 29 are hereby appealed.

IV. Status of amendments

The Amendment After Final filed 5 April, 2010 has been entered in conjunction with the Notice of Appeal. The Claims Appendix reflects the claims as amended.

V. Summary of claimed subject matter

Claims 1 – 6, 8 – 13, 25 and 29 stand rejected. The subject matter of these claims is summarized below, by means of a discussion of the independent claims 1 and 29. Patentability of the dependent claims is not separately argued.

Claim 1

Claim 1 sets forth a medical electrical lead. The lead is generally illustrated in Figure 1 and is generally described in paragraphs [0014 and 15].

The lead comprises a component including a surface and a groove formed in the surface. The component is illustrated at 600A in Figure 6A. The groove is illustrated at 620A in figure 6. The component and groove are described in paragraph [0019].

The lead further includes a conductor, the conductor extending within the lead and including a plurality of wire strands cabled together positioned within the groove of the component. The conductor is illustrated at 650 in Figure 6A and in more detail at 500 in Figure 5. The conductor is described in paragraphs [0018 – 19]. The relationship between the conductor and the groove is illustrated in Figure 6A and discussed in paragraph [0019].

The lead further comprises a resistance weld formed between the conductor and the component. Figure 6A illustrates the conductor and the component as located in a resistance welder. The weld itself is illustrated in Figure 6C and described in Paragraph [0019].

The groove includes a depth and the conductor positioned within the groove includes a pre-weld diameter, the pre-weld diameter being greater than the depth of the groove. This relationship is illustrated in Figure 6A and discussed in paragraph [0019].

Claim 29

Claim 29 sets forth a medical electrical lead. The lead is generally illustrated in Figure 1 and is generally described in paragraphs [0014 and 15].

The lead comprises a component comprising a substantially tubular body having an inner surface and a groove formed in the inner surface. This version of the component is illustrated at 600B in Figure 6B. The groove is illustrated at 620B in figure 6B. The component and groove are described in paragraph [0019].

The lead further comprises a conductor comprising a plurality of wire strands cabled together, the conductor extending within the lead and positioned within the groove of the component. The conductor is illustrated at 650 in Figure 6B and in more detail at 500 in Figure 5. The conductor is described in paragraphs [0018 – 19]. The relationship between the conductor and the groove is illustrated in Figure 6B and discussed in paragraph [0019].

The lead further comprises a resistance weld formed between the conductor and the component. Figure 6B illustrates the conductor and the component as located in a resistance welder. The weld itself is illustrated in Figure 6C and described in Paragraph [0019].

The groove includes a depth and the conductor positioned within the groove includes a pre-weld diameter, the pre-weld diameter being greater than the depth of the groove. This relationship is illustrated in Figure 6A and discussed in paragraph [0019].

Respectfully submitted,

September 20, 2010
Date

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